

Appl. No. : 10/764,986
Filed : January 26, 2004

REMARKS

The foregoing amendments and the following remarks are responsive to the March 15, 2007 Election/Restriction Requirement. Claims 1-3 and 17 are amended, Claims 4-16 and 18-20 remain as originally filed, and Claims 21-23 are cancelled without prejudice. Thus, Claims 1-20 are presented for further consideration. Please enter the amendments and consider the claims in view of the following remarks.

Response to Restriction/Election Requirement

In the March 15, 2007 Election/Restriction Requirement, the Examiner has required restriction to one of two species:

Species A, delivery of light energy to an area of a body;

Species B, delivery of light energy to cells external to a body.

Applicant hereby elects, without traverse, to prosecute the claims directed to Species A. Please cancel Claims 21-23 without prejudice. Applicant reserves the right to pursue the nonelected claims in one or more continuing applications.

Comments on Amendments to Claims 1-3 and 17

Applicant has amended Claim 1-3 and 17 as described herein. Applicant submits that these amendments do not modify the scope of the claims and do not add new matter to the present application. Applicant respectfully requests that the Examiner consider the allowability of the pending claims.

Summary

Applicant respectfully submits that the foregoing is fully responsive to the restriction/election requirement. Accordingly, prompt examination on the merits of Claims 1-20 is respectfully requested. If, however, any issues remain, the Examiner is respectfully requested to call Applicant's counsel at the number provided below to resolve such issues promptly.

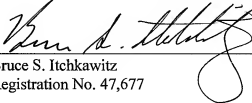
Please charge any additional fees, including any fees for additional extensions of time, or credit overpayment to Deposit Account No. 11-1410. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/9/07

By:


Bruce S. Itchkawitz
Registration No. 47,677

Appl. No. : **10/764,986**
Filed : **January 26, 2004**

Attorney of Record
2040 Main Street
Fourteenth Floor
Irvine, CA 92614
(949) 760-0404

3626741
040907